

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.181 OF 2005

IN
LETTERS PATENT APPEAL NO.24 OF 2005
IN
WRIT PETITION NO.7716 OF 2005

Food Corporation of India
Workers' Union ... Petitioner

V/s.

Food Corporation of India & Ors. ... Respondents

Ms.Indira Jaising with Mr.Bharat Sangal, Ms.Hutoxi
Tavadia and M.Thorat for Petitioner
Mr.B.A. Desai, Additional Solicitor General, with
Mr.Mujumdar and Mr.A.M. Sethna for Respondents

a/w
CONTEMPT PETITION NO.285 OF 2005

IN
WRIT PETITION NO.7716 OF 2005

Food Corporation of India ... Petitioner

V/s.

V.K. Malhotra, MD, FCI. ... Respondent

Mr.R.Rammurthy with S.P. Pipal for Petitioner
Mr.B.A. Desai, Additional Solicitor General, with
Mr.Mujumdar and Mr.A.M. Sethna for Respondent

CORAM: SMT.NISHITA MHATRE, J.

DATED: OCTOBER 25, 2005

P.C.:

. These Contempt petitions have been filed against
the Respondents for a breach of the award of the
Tribunal, the order of the learned Single Judge dated

14.10.2004 and the order of the Division Bench dated April 5, 2005. According to the Petitioners in both the Contempt Petitions, the Respondents have committed a breach of these orders by issuing the circular dated 6.5.2005 which is at Exhibit F to the Petition. After the Petitions were heard for some time on the last occasion i.e., 21.10.2005, the learned Additional Solicitor General appearing for the Respondents in both the Petitions sought an adjournment to consider whether the respondents should withdraw this circular. He now states that the Circular at Exhibit F dated 6.5.2005 has already been withdrawn by a notification dated on 24.10.2005.

2. In view of the withdrawal of this circular, the orders of this Court passed by the Division Bench, the learned Single Judge and the award of the Tribunal must be implemented forthwith.

3. The learned Additional Solicitor General states that the undertakings which have already been demanded from the workmen, pursuant to the circular which has now been withdrawn, will not be acted upon by the Respondents.

4. Petitions disposed off accordingly.

5. Certified copy expedited.